

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17931 of 2020

Arising Out of PS. Case No.-134 Year-2020 Thana- BANKA District- Banka

RAJ KISHOR SINGH, aged 35 years (Male), Son of Devanand Singh,
Resident of at 14 Subhashnagar, Polytechnic Chowk, Purnea, P.S.- Purnea,
District - Purnea.

... .. Petitioner

Versus

1. The State Of Bihar.
2. The Assistant Director, Mines and Geology Department, Banka. Bihar

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Ajay Mukherjee, Advocate.
For the State : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offences registered under Sections 379/411 of the IPC, 4/40
of B.M.M.C. Rule 1972, Section 8(a), 8(b) of BMPITS Rule,
2003 amended in 2014 & 21(1), 21(4) of BMMD Rule &
Section 15 of F.E. Act, 1986.

The prosecution case, in short, is that on 17.02.2020



at about 3.45 P.M. the informant stopped a Truck bearing Registration No. BR-11GB-9245 on which 950 *Ghanfit Sand* was loaded. The driver of the Truck, namely, Pannu Kumar Rai, was not produced *Transport Challan* of the said *Sand*.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The petitioner is alleged to be the owner of the Truck in question on which the *Sand* was loaded. The petitioner had no knowledge regarding the nature of goods being kept on the Truck in question.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate/Successor Court, Banka, in connection with Banka P.S. Case No. 134/2020, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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